REMARKS/ARGUMENTS

Favorable consideration of this application as presently amended and in light of the foregoing discussion is respectfully requested.

Claims 1-12 are pending in this application with claims 1 and 4-10 having been amended by the present amendment.

In the outstanding Office Action, claims 1-7 and 10-12 were rejected under 35 U.S.C. § 103(a) as unpatentable over Huang et al.; and claims 5-9 were rejected under 35 U.S.C. § 112, second paragraph.

Regarding the rejection of claims 5-9 under 35 U.S.C. § 112, second paragraph, the claims have been amended in light of the comments noted in the Office Action. In addition, it is respectfully noted the features recited in claims 5 and 7 are shown in the non-limiting example of Fig. 4. For example, Fig. 4 illustrates comparing the pilot strength of the first BTS with the pilot strength of the second BTS in step S23, allocating the SCH to both of the first and second BTSs in step S25, and allocating the SCH to a BTS having a largest pilot strength, if analyzing the PSMM determines the SCH is not allocated to any BTS in steps S22 and S28.

Further, regarding claim 7, step S23 of Fig. 4 illustrates that if the pilot strength of the second BTS is larger than the pilot strength of the first BTS, it is judged that a new pilot signal corresponding to the pilot strength of the second BTS is to be added. Page 12, line 25 to page 13, line 3 describes in a non-limiting example that the handoff of the SCH is performed

by simultaneously allocating both FCH and SCH to the BTS. Accordingly, in light of the above comments, it is respectfully requested this rejection be withdrawn.

Claims 1-7 and 10-12 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Huang et al. This rejection is respectfully traversed.

Amended independent claim 1 is directed to a method for handoff of a medium rate data call in a mobile communication system including comparing a pilot strength of a BTS (Base Station Transceiver Subsystem) to which a SCH (Supplemental Channel) is allocated to a pilot strength of a BTS to which the SCH is not allocated, without comparing the pilot strengths to a predetermined threshold value. The method also includes transmitting a PSMM (Pilot Strength Measurement Message) from a mobile station to a base station including the BTS to which the SCH is allocated when the pilot strength of the BTS to which the SCH is allocated is smaller than a pilot strength of a BTS to which the SCH is not allocated, and performing a handoff of the SCH to the BTS to which the SCH is not allocated, according to the PSMM. Independent claims 4, 5 and 10 include similar features in a varying scope.

As noted in the specification at page 11, lines 12-15, according to the present invention, there is no need to compute a threshold, which is a handoff reference value, at every handoff request, the load of the mobile station is reduced. In more detail, as shown in step S14 of Fig. 3 and step S23 of Fig. 4, for example, the pilot strength of a BTS to which a SCH is allocated is compared with another BTS to which the SCH is not allocated without comparing the pilot strength to a predetermined threshold value. That is, the pilot strength of each BTS are

compared against each other. The pilot strengths are not compared against threshold values. Thus, the load of the mobile station is reduced.

On the contrary, as shown in step S204 in Fig. 2 of Huang et al., the BTS compares the strength of received pilots from the different base stations with a threshold value. The strengths of the pilot signal of each base station are not compared against each other, but rather are compared with threshold values. This is similar to the description in the Background of the Related Art.

Accordingly, it is respectfully submitted independent claims 1, 4, 5 and 10 and each of the claims depending therefrom are allowable.
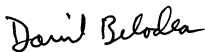
CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David A. Bilodeau**, at the telephone number listed below.

Reply to Office Action of November 2, 2004

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is

hereby made. Please charge any shortage in fees due in connection with the filing of this,

concurrent and future replies, including extension of time fees, to Deposit Account 16-0607

and please credit any excess fees to such deposit account.

Respectfully submitted,
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